

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRWP-891 of 2015

DATE OF DECISION: July 06, 2015.

Jagraj Mohammad

.... Petitioner

VERSUS

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE M.JEYAPPAUL.

PRESENT: Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Ms. Ritu Punj, Addl. A.G. Punjab.

M.JEYAPPAUL, J.(ORAL)

The petition is filed praying for grant of parole to the petitioner, namely, Jagraj Mohammad for performing the last rites of his father Late Sh. Khushi Mohammad.

It has been contended in the petition that the petitioner and his family members approached the jail authorities for grant of parole. Wife of the petitioner also made representation to this Court. But no order was passed by the jail authorities granting parole to enable the petitioner to attend the last rites of his father.

It is admitted in the reply filed by the State of Punjab as well as the State of Haryana that the father of the petitioner died on 27.05.2015. Of course, both the States have come with the plea that the petitioner was convicted in N.D.P.S. cases. He is also facing trial for the jail offence for

having possessed a mobile set during the surprise check by the jail authorities but both the States have not disputed the fact that the petitioner never misused the concession of parole already granted.

Heard the submission made on either side.

It is true that the petitioner had not placed on record any acknowledgment for receipt of the representation made by the wife of the petitioner to the jail authorities but the fact remains that on 06.06.2015 the representation made to this Court by the wife of the petitioner was received by the jail authorities. It is a case where the petitioner has sought for parole on the ground that he being the only son of his father has to perform the last rites, availing parole. Such a plea made by the petitioner cannot be casually rejected. Further, the conduct of the petitioner would go to show that he had not misused the concession of parole granted to him.

The State of Punjab has informed based on the enquiry made by it that some ceremonies in connection with the last rites of the father of the petitioner is proposed to be held on 09.07.2015.

In view of the above, 7 days parole is granted to the petitioner to attend the ceremonies relating to the last rites of his father. He be released on parole to the satisfaction of District Magistrate, Ambala. He shall surrender before the jail authorities Ambala on 14.07.2015 at 10 a.m.

Disposed of accordingly.

Copy of order be issued under the signature of Court Secretary.

(M. JEYAPPAUL)
JUDGE

06.07.2015

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